G R S 58
Previous references

1903/04
(Education)

Ed File No 15 of 03/Mam
Serial Nos 1—2.

Later references

GENERAL AND REVENUE SECRETARIAT

Serial Nos 1 — 2

Part B for November '03

SUBJECT

Prosecution of P Rangachar, Writer, Normal School Mysore, who was in charge of the Govt Branch Book Depôt at Mysore

---

For Table of Contents,
See within

GPB 5,000—7-4-07

Table of Contents

1 From the I G of Education No 7230/103 d/ 16-10-03
Requests sanction for the prosecution of P Pangachar Writer Normal School Mysore who has utilised the sale proceeds of the Branch Book Depot at Mysore while he was in charge of the Depot

2 To the I G of Education, the Comptroller, and the Dt Magistrate Mysore No, 2211 d/ 7-11-03
Orders the institution of criminal prosecution against Pangachar if sufficient evidence is forthcoming to justify an expectation of conviction, and that the cost of prosecution if instituted will be borne by Govt

November 1903, Serials 1 to 2

~~Mysore Govt Gen Dept~~

~~Office of the Dewan of Mysore~~

Office Note

Office No (if any)

Branch General (Education)

Directions

No, date and purport of receipts to be entered in red, and office note in black ink in order of dates.—To be written only on one side, and inside the line of margin

Subject Prosecution of P Rangachar who was in charge of the Govt Branch Book Depôt at Mysore

Letter No 3230/103 d 16th Oct 1903 from the Dfl of Edn in Mysore

The charge brought against P Rangachar is misappropriation of Govt money for private use

The Deputy Inspector, Mysore South circle, inspected the Depôt in Septr 1903 and at the time of inspection, Rangachar was not able to produce the money

The Dfl requests sanction to the cost of prosecution being borne by Govt

It is also reported that ~~he~~ P Rangachar has been dismissed

Submd for orders to Secty

The prosecution of the

Clerk

(Dfl 22-10-03)

Clerk may be ordered to be instituted
at once, the cost of the prosecution
being borne by Govt

24/10/03

The Deman through
the 2nd Counsellor 25/10/03

"Criminal proceedings
Prosecution may be instituted
if sufficient evidence is
forthcoming to justify the
an expectation of con-
viction - The Govt

29/10/03

31/10/03

05153

Please order as above

3 X 1 03

3690/31+03

4/11/3

Draft submitted for approval

5/11/03

3

His Highness the Maharaja's order on the list of pending papers for October 1903

Education No 28 which seem to require submission under clause vii of the schedule, though marked "disposed of" has not come up to me

General remarks The number of cases pending in office is large in several Branches In all such cases it should be noted why the case is in office, whether for note, draft, pending receipt of further information or otherwise

Intd K R W
18th November 1903

Dewan's order

Let me have their explanations soon in detail This shows the Secretariat requires great correction

Intd P S R
19th November 1903

Ed. Put up a Note in explanation
21/11/03

A Serial No 28 of the list of pending papers for october 1903 (Education Branch)

B Letter No. 3230/103 dated the 16th Oct 1903 from the DPI of Edn. in Mysore

Subject Requesting sanction to the Cost of prosecuting P Rangachar, Writer Normal school, Mysore for misappropriation of public money

This was subd to the Dewan and disposed of on 7 11-03

Remarks by H H the Maharaja of Mysore d the 18th November 1903 against this No (Sl No 28)

"No. 28 which seems to require submission under clause VII of the schedule, though marked "Disposed of has not come up to me"

C Clause VII of the schedule is as follows

"Prosecution of

of Public Servants in cases requiring by law the previous sanction of Government"

Section 197 of the Criminal Procedure Code lays down the procedure to be adopted in prosecuting public servants

A typewritten + Copy put up. (D)

In the present case, the writer of the Normal school gets a pay of only Rs 20 the appointment is within the Dist' powers of sanction. As the individual in question is not one who is not removable from his office except with the sanction of Govt, the question of his prosecution was not treated as a council matter under clause vii of the schedule

(vide remarks of the Deputy secretary and those of the 2nd councillor in the office note of the file linked)

Flag A
I

Subd to Secty
The case refd to in the linked file related to the prosecution of the Supdt of the Industrial School, whose appt required the sanction of Govt
The present case who related to a clerk on 20 Rs, did not come under Clause VII of the Schedule. 24/11/03

KG
24/11/03

14288/26 11 03

The Dewan

6

NOTIFICATION

No 36, dated Camp Mysore, 8th August 1902

I His Highne s the Maharaja has been pleased to direct that a Consultative Council to be styled The Council of His Highness the Maharaja of Mysore shall be formed and that it shall consist of the Dewan and two Members, whose duty it will be to advise His Highness in all important matters

II The following rules are prescribed for the conduct of business in the Consultative Council of His Highness the Maharaja of Mysore —

1 The work of the State will be distributed by Departments between the Dewan and the Councillors as shown in the appended statement

2 Case falling under the Schedule appended to this notification, shall be submitted by the Secretary in the first instance to the Councillor in charge of the Department concerned on whom will re t the initiative entailing where necessary the pre paration of a note for the consideration of the Council They shall then be placed before the Council and submitted with the opinion of the Dewan and the Coun cillor for the orders of His Highness the Maharaja by the Dewan

3 Cases not falling under the Schedule shall be dealt with by the Dewan in his capacity as the Senior Executive Officer of the State In such matters, the Secretary shall draft the necessary order and forward the papers to the Dewan, through the Councillor or Councillors in charge of the Department or Departments concerned for his or their information, and in order to afford him or them an opportunity for suggesting, if necessary, a modification in the method of disposal proposed

4 Should any material difference of opinion be then established, it will be in the discre tion of the Dewan either to direct that the matter may be dealt with as though it were one falling under the Schedule, or to submit it direct for the orders of the Maharaja

5 If in any matter connected with a Department not immediately under his own charge the Dewan considers that immediate action is necessary, and that the delay involved in consulting the Councillor in charge of the Department is likely to be prejudicial he may issue orders on his own authority In all such cases a copy of the Dewan s orders shall at once be supplied to the Member whose Department is concerned and the proceedings shall be reported for the information of His Highness the Maharaja with a statement of the reason which necessitated recourse to the special powers conferred by this rule

6 The Secretary in each Department shall work under the general or special directions of the Dewan and be solely responsible to him

7 A Mem ber of Council shall have the power to call upon the Secretary to supply information regarding a case pending before such Member or regarding the manner of or delay in disposal of any case which the Member has had befor e him

8 The Dewan shall regulate the order of business in Council and preside at the meet ings

9 A journal shall be kept in which the opinions of the Dewan and the Members shall be recorded

10 The Council shall meet regularly at stated intervals His Highness the Maharaja, or the Dewan may summon a meeting of the Council whenever His Highness, or the Dewan, may deem it necessary

11 Whenever the Dewan and the Councillors or any of them are on tour, or whenever otherwi e necessary, papers may be disposed of in circulation

12 The following matters coming before the Government shall be heard and decided by two Members of Council —

(1) (*a*) Claims to all hereditary offices and emoluments attached thereto (including hereditary Muzrai appointments) and claims relating to lands declared by competent authority to be held for any service whatsoever

Cl u e ( ) of Sect o 221 of the Mysore La d Re enue C de

(*b*) Claims connected with, or arising out of, any proceedings for the realization of Land Revenue, or the rendering of assistance by Government or any officer duly authorized in that behalf, to superior holders for the recovery of their dues from inferior holders or claims to set aside on account of irregularity, mistake or any other ground, sales for arrears of Land Revenue,

Cla e (*c*) of Section 1 of the Mysore Land Reven e Code

(*c*) Claims to be entered in the Revenue Survey or Settlement records or village papers as liable for the Land Revenue or as superior holder inferior holder occupant or tenant or to have any entry made in any record of a Revenue Survey or Settlement or to have any such entry either omitted or amended

Clause (*d*) of Section 1 of the Mysore Land Revenue Code

(*d*) Claims regarding the distribution of land or allotment of land revenue or partition of any estate under Bombay Act IV of 1868 or under Mysore Regulation IV of 1888 or under any other law for the time being in force

Clause (*e*) of Section 21 of the Mysore Land Revenue Code

(*e*) Claims to hold land wholly or partially free from payment of land revenue or to receive payments charged on or payable out of, the land revenue or to set aside any order or rate authorized by Government under the provisions of any law for the time being in force, or respecting the occupation of waste or vacant land belonging to Government and

Clause (*f*) of Section 21 of the Mysore Land Revenue Code

(*f*) Claims regarding boundaries fixed under Bombay Act I of 1865, or under Mysore Regulation IV of 1888 or under any other law for the time being in force or to set aside any order passed by a competent officer under any such law with regard to boundary mark

(2) In the disposal of the matters aforesaid the following rules shall be observed —

(*a*) When there arises a difference of opinion between two Members of Council on any material question pending before them such question shall be referred to the Dewan and the decision of the Government shall follow the opinion with which the Dewan agrees

(*b*) No order of a subordinate officer shall be modified or reversed without due notice of the hearing of the case to the party whose interests will thereby be affected

(*c*) Any party appearing in person will be duly heard provided that a woman or a minor may appear by her or his next friend or guardian

P N KRISHNAMURTI,
Dewan of Mysore

STATEMENT

SHOWING THE

Apportionment of State work between the Dewan and Councillors See clause 1 of Rule II

The Dewan shall take charge of —

Political	Public Works and Railways
Financial	Military and Amrut Mahal
Geological Survey and Mining	Muzrai
	Police

The First Councillor —

Land Revenue Department including Land Revenue proper Land Records and Agriculture Sayer, Mohatarfa Inam Survey and Settlements (including Revision), Land Acquisition etc, and Agricultural Banks

The Second Councillor —

Forests	Pensions
Excise	Stamps
Education	Local and Municipal Funds
Legislation	Statistics
Judicial	Meteorology
Medical	Minor Departments (*viz* Press Stationery,
Prisons	Stores Museum and Archæology)
Registration	

SCHEDULE

OF

Subjects which shall be placed before the Council and submitted with the opinion of the Dewan and Members for the orders of His Highness the Maharaja

(i) The imposition of new taxes and the abolition of existing taxes

(ii) Measures of Legislation

(iii) Annual Budget E timates of Receipts and Expenditure in all Departments together with supplemental applications involving material increa e or variations of sanc tioned budget grants

(iv) Annual Administration Reports of the several Departments

(v) The appointment, removal, promotion, suspension and reduction in pay or rank, of officers in and above the gi ades specified below —

(*a*) Assistant Commissioners Subordinate Judges Assistant Superintendents of Police Assistant and Sub Assistant Surgeons Assistant and Sub Assistant Forest Conservators Assistant and Sub Assistant Engineers Assistant Examiner, D P W Accounts, Excise Assistants Assistant Geologists Assistant Comp troller, Assistant Superintendents Revenue Survey, and Educational officers of C Class II

(*b*) All Secretaries to Government

(*c*) Town Magistrates, Government Advocate and Public Prosecutors

(*d*) Superintendents Central Jail Government Pre s, Stationery and Stores, Botanical Gardens and Museum and Stamps

(*e*) Vice Presidents of the Mysore and Bangalore Municipalities

(*f*) Munsiffs, Amildars and Deputy Amildars

(vi) Remission of Judicial Sentences

(vii) Prosecution of Public Servants in cases requiring by law the previous sanction of Government

(viii) Changes of system, or organisation, or method of realising revenue in all Depart ments

(ix) Questions relating to the organisation of the Military Force

(x) Any material revision of establishment in any Department

(xi) All contracts other than those sanctioned under rule or the ordinary practice of any Department and financial arrangements entered into by the State which are beyond the competence of the Head of a Department to deal with

(xii) Any other matters upon which His Highness the Maharaja may wish to have the views of the Council

Section 197 of the Criminal Procedure Code

Prosecution of Judges and Public Servants

When any Judge, or any public servant not removable from his office without the sanction of the Government of Mysore, is accused as such Judge or public servant of any offence, no Court shall take cognizance of such offence, except with the previous sanction of such Government, or of some officer empowered in this behalf by such Government, or of some Court or other authority to which such judge or public servant is subordinate, and whose power to give such sanction has not been limited by such Government.

Submitted to His Highness

This question did not involve any unsettled matters the official concerned was only a clerk on 20 Rs - & what was dealt with was only the cost of prosecution

27 X 03

Record of Case submitted for the orders of His Highness the Maharaja

Subject

Non-submission to His Highness the Maharaja of papers connected with the prosecution of the Writer of the Normal School, Mysore, under Clause VII of the Schedule

~~*Order*~~

Seen by His Highness

returned with thanks.

1/12

2 XII 03

2/12

Edn No 81 L

G. L. 1278.

From

The Inspector General of Education

in Mysore

To The Secretary to Govt
General & Revenue Depts.

No 3230
103

Dated 16/10/03

Received

No of Enclosures

Serial C

Subject

Requesting sanction to the cost of prosecution in the case of P. Ranga Chary retired Normal School Mysore who has utilised the sale proceeds of the Branch Depot for his private purposes

Gen 16.10.03

Edn 81

3230/103

OFFICE OF INSPECTOR GENERAL OF EDUCATION IN MYSORE,
Bangalore, 16th October 1903

From

H J BHABHA, Esq,
Inspector General of Education in Mysore,

To

H V Nanjundaya Esq M A, M L
Secretary to the Government of Mysore
General & Revenue Departments

Sir,

I have the honour to inform you that certain discrepancies having been discovered in the accounts of the Government Branch Book Depôt Mysore which is in charge of P Ranga char a clerk of the Government Normal School Mysore, the Curator requires Mr M Srinivasa Rao Deputy Inspector Mysore South to pay a surprise visit to the depôt and examine the accounts and the stock The Deputy Inspector examined the accounts of the depôt on the 6th of last month and found that the accounts were in a state of confusion The daily sale book was not in existence

2 And further the sale proceeds were not remitted regularly to the Treasury The monthly sale proceeds of the Depôt have not during the last two years been more than Rs 25 On the day of examination the amount due from the Branch Depôt-Keeper was Rs 103-9-6, which according to his statement was the amount of sale proceeds realized from the 24th August to the 15th September 1903 There was no sale book and no memoranda of the persons to whom ~~books~~ of this amount were sold It is evident that the large amount of monthly sale proceeds was kept by him for private use On the 16th when he was asked to produce the Amount only Rs 41-1-0 was produced by him at 6 30 P M and Rs 5 was accounted for as due from the Head Master of the Government Hindustani School, Mysore He was not able to produce that day the remaining Rs 57-8-6 I have strong reasons to suspect that the Branch Depôt Keeper utilized the sale proceeds for private purposes though on the 24th September he paid into the Treasury a sum of

Rs 97-4-9 the balance due from him
Under these circumstances I have dismissed
P. Ranga char from Service and intend
ordering his prosecution for Criminal
Misappropriation I request therefore
that Government may be pleased to
sanction the cost of prosecution

I have the honour to be,
Sir,
Your most obedient servant,
J R Vecha Easwara Rao
In Inspector General
of Education

Mysore Govt, Gen & Rev Secretariat Branch

Office Draft.

4

Progs of the Govt of H H the Maharaja of Mysore

File No (if any) and its date—

Read

Letter No. 3230/103 dated the 16th Oct 1903 from the Dfl of Education in Mysore, reporting that P Rangachar, Writer Normal school Mysore who was in charge of the Branch Book Depôt at Mysore, has been found ~~Order:~~ ~~had~~ to have misused the Sale proceeds of the Depôt for his private purposes, and stating that he ~~requesting~~ Order will be criminally prosecuted and requesting sanction ~~sanction~~ to the cost of the prosecution ~~of the said order~~ being borne by Govt

---

Order thereon

No 2211/13 Ed 7/11/03

Criminal proceedings may be instituted if sufficient

Sufficient evidence
is for the coming to justify
an expectation of con
viction. The cost of the prosecution,
if instituted, will be borne by Govt
Off'

Ill 5/11/42
For Secretary

Returned with the Order

To

The Hble the Com
Messrs
Comptroller; Messrs
Distrct Magistrate, Hyderabad &
~~Govt Advocate~~
~~Messrs~~